

**MASSOOD & BRONSnick, LLC**

50 Packanack Lake Road East  
Wayne, New Jersey 07470-6663  
(973) 696-1900  
Attorneys for: Plaintiffs

**THE AGRESTA FIRM PC**

24 Grand Ave  
Englewood, NJ 07631  
(201) 399-6891  
Attorneys for: Plaintiff

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

MONTVALE SURGICAL CENTER, LLC  
A/S/O various "PATIENTS",

Plaintiffs(s),

v.

CONNECTICUT GENERAL LIFE  
INSURANCE COMPANY D/B/A CIGNA,  
CIGNA HEALTHCARE OF NEW  
JERSEY, INC.; ABC CORP. (1-10) (Said  
names being fictitious and unknown  
entities),

Defendant(s),

CIVIL ACTION NO.: 2:12-cv-05257-SRC-CLW

**NOTICE OF MOTION FOR LEAVE TO  
FILE A SECONDAMENDED COMPLAINT**

TO: E. Evans Wohlforth, Esq.  
Gibbons, P.C.  
One Gateway Center  
Newark, NJ 07102  
*Attorneys for Defendants*

Massood & Bronsnick, LLC  
Attorneys at Law

PLEASE TAKE NOTICE that on July 7, 2014, the undersigned counsel and co-counsel for Montvale Surgical Center, LLC a/s/o various "PATIENTS", shall move before the Honorable Cathy L. Waldor, U.S.M.J., at the United States District Court for District of New Jersey, M.L.

King Jr., Federal Building and U.S. Courthouse, 50 Walnut Street, Newark, NJ, for entry of an Order granting Plaintiff leave to file a Second Amended Complaint.

PLEASE TAKE FURTHER NOTICE that, in support of this Motion, the Plaintiffs rely on the proposed Second Amended Complaint annexed to the Certification of Andrew R. Bronsnick, Esq. dated June 2, 2014 as Exhibit "A". A Proposed Form of Order is submitted herewith. The allegations made in the Second Amended Complaint include counts under ERISA based upon the fact that the Connecticut General Life Insurance Company d/b/a Cigna Healthcare of New Jersey, Inc. is an ERISA qualified plan. Counts for a State Claim, Promissory Estoppel, Negligent Misrepresentation, and Breach of Contract have been added, as well. Additionally, Anthony K. Modafferi, III of The Agresta Firm, P.C. has been added as co-counsel for Montvale Surgical Center, LLC.

MASSOOD & BRONSNICK, LLC  
Attorneys for Plaintiffs

BY: s/Andrew R. Bronsnick  
ANDREW R. BRONSNICK, ESQ.

Dated: June 2, 2014

w:\wp51\majormed\montvale surgical center\cigna non-payment cases\nom second complaint 5 28 14.docx